REMARKS

Applicant requests reconsideration and allowance of the subject application in view of the following remarks.

Claims 1-20 are pending in the application, with Claims 1, 4, 8, 14 and 18 being independent. No claims are amended herein.

Initially, Applicant's below-signed representative would like to thank Examiner Sherr for the cordial and productive telephone interview conducted on April 13, 2006. At the interview, Applicant's representative presented arguments distinguishing the claimed invention over the cited patents, and Examiner Sherr agreed that the cited patents fail to teach or suggest at least that a unique identifier is generated and stored by a recording medium (or a recording indicator formed thereon) at each occurrence of a first write operation or each time encrypted content material is recorded on the recording medium, as featured in the independent claims. As suggested by Examiner Sherr, Applicant's representative is submitting this paper to re-present the arguments made during the interview.

Claims 1-20 stand rejected under 35 U.S.C. § 103 as unpatentable over U.S. Patent No. 5,857,021 (Kataoka et al.) in view of U.S. Patent No. 6,587,837 (Spagna et al.). Applicant traverses this rejection.

In aspects of Applicant's invention, independent Claims 1, 4, 8, 14 and 18 recite, respectively, a recording medium, a rendering device, a provider of content material, a method of providing content material, and a method of rendering content material. Among other features, Claim 1 recites a recording medium including a recording indicator for generating and storing a unique identifier at each occurrence of a first write operation; Claims 4 and 8 recite that a recording medium includes a recording indicator that generates and stores a unique identifier in response to a first write operation; Claim 14 recites that a unique identifier is generated by and stored in a recording medium upon each first write operation; and Claim 18 recites that a unique identifier is generated by and stored on a recording medium each time encrypted content material is recorded on the recording medium.

Thus, according to the invention set forth in the independent claims, a unique identifier is generated and stored by a recording medium (or a recording indicator formed thereon) at each occurrence of a first write operation (Claims 1, 4, 8 and 14), or each time encrypted content material is recorded on the recording medium (Claim 18).

Nowhere do Kataoka et al. and Spagna et al., whether taken alone or in combination, teach or suggest such features.

Kataoka et al. relates to a security system for protecting information stored in portable storage media. That patent discloses, at col. 7, lines 10-16, a data encoding system in which a storage medium 101 on which recordation is to take place has a medium ID 121 that is "uniquely assigned to the storage medium 101, [and] which is burned into a predetermined region in a non-rewritable manner with a laser beam, for example." (col. 6, ll. 64-67). The medium ID 121 is used by a private key generating means 105 to generate a private key used to encrypt a data encryption key.

Spagna et al. relates to a method for delivering electronic content from an online store. According to the Office Action, that patent discloses at col. 64, ll. 15-40, "a unique identifier being generated by the first write operation." As discussed during the interview, Applicant disagrees. The referenced portion of Spagna et al. is understood only to teach usage conditions assigned to the content by the content provider.

Nowhere does either Kataoka et al. or Spagna et al. teach or suggest that a unique identifier is generated and stored by a recording medium (or a

recording indicator formed thereon) at each occurrence of a first write operation (Claims 1, 4, 8 and 14), or each time encrypted content material is recorded on the recording medium (Claim 18). In particular, the medium ID of Kataoka et al. is pre-assigned to the medium, and unchangeable. It is not generated and stored at each occurrence of a write operation or each time material is recorded. Spagna et al. also makes no mention of the generation and storage of an identifier such as that disclosed in the independent claims.

For the foregoing reasons, and as discussed in detail during the interview, Applicant submits that independent Claims 1, 4, 8, 14 and 18 recite features that patentably define Applicant's invention over the cited patents, whether those patents are taken alone or in combination. Withdrawal of the outstanding rejection is requested.

Claims 2, 3, 5-7, 9-13, 15-17, 19 and 20 depend from one of the allowable independent claims. These claims are allowable by virtue of this dependency, as well as for reciting other patentable features of the invention. Applicant requests favorable and independent consideration of the dependent claims.

In conclusion, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the outstanding rejection, and an early notice of allowance are requested.

If necessary, Applicant's below signed representative may be reached by telephone at (585) 232-6500.

Respectfully submitted,

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